

Michael C. Miller  
212 506 3955  
mmiller@steptoe.com



1114 Avenue of the Americas  
New York, NY 10036  
212 506 3900 main  
www.steptoel.com

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Via ECF

The Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: *U.S. v. Percoco, et al.* (Case No. 16-cr-00776)  
Renewal of Motion for Judgment of Acquittal**

Dear Judge Caproni:

I write on behalf of Defendant Alain Kaloyeros. At the close of the government's evidence, the Court reserved decision on Dr. Kaloyeros' motion for a judgment of acquittal under Fed. R. Crim. P. 29. Tr. 2086:12-14; Tr. 2090:3-4; Tr. 2207:12-20. Without prejudice to his right to have those motions for acquittal decided on the basis of the evidence at the times the respective rulings were reserved, Dr. Kaloyeros renews his motion for the reasons stated by counsel for the Defendants at the time. *See* Tr. 2015:8-2115:20; 2199:10-2201:25.<sup>1</sup>

Respectfully submitted,

/s/ Michael C. Miller  
Michael C. Miller  
*Counsel for Defendant Alain Kaloyeros*

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<sup>1</sup> As previously stated, Dr. Kaloyeros adopts all of the motions and arguments of his co-defendants. *See* Tr. 2034:21-22 ("[W]e join the arguments that Mr. Shechtman made."); Tr. 2153:21-22 ("THE COURT: There's a one for all and all for one here. That's been clear throughout.").